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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/119,427	07/20/1998	MARY ELLEN SIKSA	WH997-001	1077

7590 12/19/2002

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EXAMINER

ANYA, CHARLES E

ART UNIT

PAPER NUMBER

2126

DATE MAILED: 12/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/119,427

Applicant(s)

SIKSA ET AL.

Examiner

Charles E Anya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Oath/Declaration

1. The declaration filed on 9/23/02 under 37 CFR 1.131 has been considered but is ineffective to overcome the Andrew reference.

The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Sikas et al. reference to either a constructive reduction to practice or an actual reduction to practice.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 and 9 recites the limitation "said window" and "said enhancers" in lines 8 and 9 of claim 1 and lines 17 and 19 of claim 9. There is insufficient antecedent basis for this limitation in the claim.

The Examiner will take "said window" and "said enhancers" to mean "said window object" and "said enhancer objects" respectively.

3. Claims 5 and 10 recites the limitation "first control enhancer object" and "second control enhancer object" in lines 12 and 13 of claim 5 and lines 6 and 7 of claim 10 respectively. There is insufficient antecedent basis for this limitation in the claim.

The Examiner will take "said first control enhancer object" and "said second enhancer object" to mean "said control enhancer object" and "said control enhancer objects respectively.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 3, 5 – 6, 8 – 11, 13 – 17, 25 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,479,601 to Malamud et al. in view of Cain et al.

As to claim 1, Malamud teaches a System (Computer System, Col. 3, Ln. 1 – 17), Event (Open, Closed, Maximized, Minimized Col. 3, Ln. 17 – 50), a Window Object (Project Group/Folder Window/Folder Object Mineral Project 202 Col. 3, Ln. 53 – 67 Col. 4, Ln. 1 – 67), a Plurality of Control Enhancers (Windows 203, 205, 207, 208 Col. 4, Ln. 38 – 67), an Interface (“...special command...” Col. 5, Ln. 1 - 15), a one Specific Control (Menu 209 Col. 5, Ln. 1 – 15), Specific Behaviors (Col. 9, Ln. 54 – 58, Col. 10, Ln. 9 – 24), a plurality of base classes and subclasses (Col. 14, Ln. 33 – 57), a List of Control Enhancers (Col. 10, Ln. 16 – 21), an Event (“...message...” Col. 10, Ln. 16 – 21) and determining which of the plurality of control enhancers objects to handle the event (Col. 10, Ln. 9 – 25). Malamud is silent with respect to a plurality of window controls.

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Cain teaches a plurality of window controls (Col. 9, Ln. 5 – 34). It would have been obvious to apply the teaching of Cain to the system of Malamud. One would have motivated to make such modification in order to let users control the shape, size and position of the desktop (Col. 9, Ln. 8 – 11).

As to claim 2, Malamud teaches at least data storage handler (Close Project Col. 4, Ln. 22 – 37).

As to claim 3, Malamud teaches at least one Data Initializer (Col. 7, Ln. 10 – 24).

As to claim 5, Malamud teaches a First one of the window controls (Menu 209 Col. 5, Ln. 1 – 14: NOTE: Each of the windows in a project group contains a menu), Second one of the window controls (Minimize Project Col. 5, Ln. 1 – 14: NOTE: Each of the windows in a project group contains a minimize project), at least one pointer (Col. 5, Ln. 48 – 60), one means for determining if an action at the first control enhancer affects the second control enhancer and means for communicating with said second control enhancer (“...window system...” Col. 10, Ln. 28 – 35).

As to claim 6, Malamud is silent with respect to a means for determining limits to be placed on data related to the control enhancer object.

Cain teaches a means for determining limits to be placed on data related to the control enhancer object (Col. 9, Ln. 43 – 56). It would have been obvious to apply the teaching of Cain to the system of Malamud. One would have been motivated to make such a modification to provide a specific appearance of data (Col. 9, Ln. 43 – 56).

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As to claim 8, Malamud is silent with reference to the means for identifying data related to the window control.

Cain teaches the means for identifying data related to the window control (“...right mouse clicking...” Col. 11 Ln. 30 – 44). It would have been obvious to apply the teaching of Cain to the system of Malamud. One would have been motivated to make such a modification to inspect a control's current properties and methods (Col. 11 Ln. 32 – 35).

As to claim 9, see the rejection of claims 1 – 4 and 17.

As to claim 10, see the rejection of claim 5.

As to claim 11, see the rejection of claim 6.

As to claim 13, see the rejection of claim 8.

As to claim 14, claim 1 meets claim 14 except for receiving an event at the window, locating at least one interested control enhancer for the event, passing the event to at least one interested control enhancer and handling the event the interested control enhancer.

Malamud teaches receiving an event at the window (“...project group command is selected...” Col. 10, Ln. 18 – 22), locating at least one interested control enhancer for the event and passing the event to at least one interested control enhancer (“...program...” Col. 10, Ln. 18 – 22) and handling the event at the interested control enhancer (Col. 10, Ln. 22 – 24).

As to claim 15, Malamud teaches a Control Enhancer List of Events “...menu of comamands...” Col. 12, Ln. 50 – 67), accessing the list of events (Menu 209, Menu 706, Menu 708 Col. 5, Ln. 61 – 67, Col. 6, Ln. 1 – 33),

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Comparing the received event to the list of events (Steps 402, 404, 406 and 408 Col. 6, Ln. 6 – 7) and Determining interested control enhancers based on said comparing (“...notifies...” Col. 12, Ln. 6 – 67).

As to claim 17, claim 1 meets claim 17 except for creating a plurality of base classes and subclasses, creating a control on the window control, instantiating a control enhancer object an interface, customizing the control enhancer object by associating selected behaviors to it using plurality of classes and subclasses and passing a pointer.

Malamud teaches creating a plurality of base classes and subclasses (“...cloning procedure...” Col. 6, Ln. 49 – 62, Col. 14 Ln. 33 – 57), creating a control on the window control (Step 602 Col. 7, Ln. 62 – 67), instantiating a control enhancer object (Step 601 Col. 7, Ln. 62 – 67), an interface (Step 606 Col. 8, Ln. 1 – 10), customizing the control enhancer object by associating selected behaviors to it using plurality of classes and subclasses (Col. 14, Ln. 33 – 57) and passing a pointer (Step 607 Col. 8, Ln. 6 – 10).

As to claim 25, Malamud teaches determining if the control has at least on one relationship with at least one other control on the window (“...project group appearance...” Col. 7, Ln. 50 – 57: NOTE: The project group appearance determines the relationship between the control enhancers and subsequently the controls), instantiating at least one relationship and assigning at least one relationship (Step 604 Col. 7, Ln. 62 – 67 Col. 8, Ln. 1 – 2: NOTE: By adding the folder window to the project resource a relationship is instantiated and assigned), passing a pointer to each of the at least one other control (Col. 7, Ln. 50 – 61).

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As to claim 28, see rejection of claim 1 and 17.

3. Claims 4, 7, 12 and 18 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,479,601 to Malamud et al. in view of Cain et al. as applied to claims 1 above, and further in view of Andrew.

As to claim 4, Malamud as applied to claim 1 is silent with reference to at least one data finalizer.

Andrew teaches at least one data finalizer (Buddy Control, Col. 5, Ln. 37 – 42). It would have been obvious to apply the teaching of Andrew to system of Malamud as applied to claim 1. One would have been motivated to make such a modification in order to facilitate/control data storage (col. 5, Ln. 37 – 42).

As to claim 7, see the rejection of claim 4.

As to claim 12, see the rejection of claim 4.

As to claim 18, Malamud as applied to claim 17 is silent with respect to data handler, determining if special data handling is required and assigning the data handler.

Andrew teaches Data Handler (Registry Data 303, Buddy Control), Determining if special data handling is required (Buddy Control), Assigning the data handler (The CpropPagePersistent object...", Col. 7, Ln. 63 – 64). The Examiner is aware that Andrew does not explicitly describe instantiating at least one data handler, but it is inherent that when a CpropPagePersistent object directs the CpersistentComboControl object to persistently store its value (Col. 8, Ln. 11 – 23) that a determination of where to store the value and instantiation of the storage area must be resolved. It would have been obvious to apply the teaching

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of Andrew to the system of Malamud. One would have been motivated to make such modifications to provide a data storage means (Col. 8, Ln. 11 – 23).

As to claim 19, Malamud is silent respect to determining if special initialization is required.

Andrew teaches Data Initializer (Step 401 Col. 8, Ln. 25 –35). The Examiner is aware that Andrew does not explicitly describe determining if special initialization is required, instantiating at least one data initializer if special initialization is required and assigned said at least one data initializer. However, it is inherent that in the process of initialization, the SetActive method will determine if special initialization is required, instantiating at least one data initializer if special initialization is required and assigned said at least one data initializer to said control enhancer. It would have been obvious to apply the teaching of Andrew to the system of Malamud. One would have been motivated to make such a modification to provide an indication of when to store a value (Col. 8 Ln. 25 – 32).

As to claim 20, see the rejection of claim 19.

As to claim 21, Malamud is silent with respect to determining if special data finalization is required and data finalizer.

Andrew teaches determining if special data finalization is required (Buddy Control, Col. 5, Ln. 33 – 51, Col. 8, Ln. 20 – 23) and Data Finalizer (Buddy Control, Col. 5, Ln. 37 – 42). The Examiner is aware that Andrew does not explicitly disclose instantiating at least one data finalizer if special finalization is required and assigning said at least one data finalizer to said control enhancer, but it is inherent that the data finalizer (Buddy Control) has mechanism for

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instantiating at least one data finalizer if special finalization is required and assigning said at least one data finalizer to said control enhancer, since each control enhancer needs to validate data before storage. It would have been obvious to apply the teaching of Andrew to the system of Malamud. One would have been motivated to make such a modification to determine if a value should be persistently stored (Col. 5 Ln. 43 – 45).

As to claim 22, see the rejection of claim 21.

As to claim 23, see the rejection of claim 21.

As to claim 24, see the rejection of claim 21.

4. Claims 26 and 27 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. 5,694,561 to Malamud et al. in view of Cain et al. as applied to claim 25 above, and further in view of Selby.

As to claim 26, Malamud as applied to claim 25 is silent with reference to instantiating at least one rule for the at least one relationship and assigning the at least one rule to the at least one relationship.

Selby teaches at least one rule (“...not equal...”, Col. 6, Ln. 15 – 17) and assigned the at least one rule to the at least one relationship (If dependency is not equal...”, Col. 6, Ln. 15 – 17). It would have been obvious to apply the teaching of Selby to the system of Malamud as applied to claim 25. One would have been motivated to make such a modification in order to determine the type of relationship between window controls.

The Examiner is aware that instantiating at least one rule for said at least one relationship is not explicitly disclosed. However, it is inherent that instantiating at

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least one rule for the at least one relationship has to be performed in the process of determining the type of relationship between window controls.

As to claim 27, Malamud as applied to claim 25 is silent with reference to instantiating at least one action for the at least one rule and assigning the at least one action to the at least one rule.

Selby teaches at least one action (“...enables or disable...”, Col. 6, Ln. 15 – 20) and assigned the at least one action to the at least one rule (If dependency is not equal...”, Col. 6, Ln. 15 – 20). It would have been obvious to apply the teaching of Selby to the system of Malamud as applied to claim 17. One would have been motivated to make such a modification in order to determine the type of relationship between window controls.

The Examiner is aware that instantiating at least one action for said at least one rule is not explicitly disclosed. However, it is inherent that instantiating at least one action for the at least one rule has to be performed in the process of determining the type of relationship between window controls.

Response to Arguments

5. Applicant's arguments with respect to claims 1 – 28 have been considered but are moot in view of the new ground(s) of rejection.

Applicant substantially changed the limitations of the independent claims by including the phrase “being customized with specific behaviors from a plurality of base classes and subclasses”.

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Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

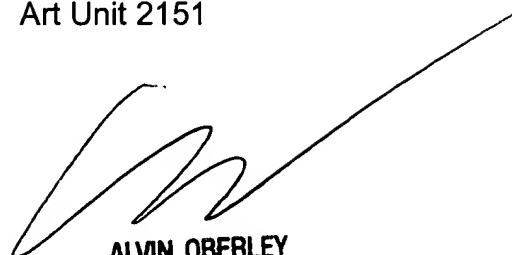
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M – F (First Friday Off) from 8:30 am to 5:30 pm.

The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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Charles E Anya
Examiner
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A handwritten signature in black ink, appearing to read 'ALVIN OBERLEY', written over a horizontal line.

ALVIN OBERLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100